

UNITED STATES COURT DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THE UNITED STATES OF AMERICA,
THE COMMONWEALTH OF
PENNSYLVANIA

Plaintiffs,

v.

THE BRADFORD SANITATION AUTHORITY

Defendant.

Case No. 03-123 E

SCANNED

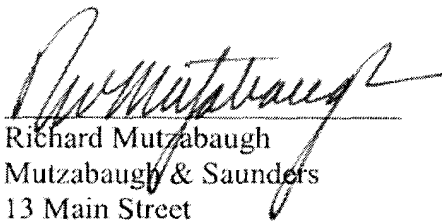
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MOTION TO TERMINATE THE CONSENT DECREE

Defendant the Bradford Sanitation Authority ("Bradford") hereby moves to terminate this Consent Decree pursuant to paragraph 61 (the termination provision) of the decree approved and entered by this Court on April 16, 2003. Termination is appropriate because Bradford has completed the its obligations under the decree and has met the following requirements as set forth in paragraph 61 of the decree: (1) Bradford has submitted its SEP completion report, paid all civil penalties due, and satisfied all of the requirements of this Consent Decree, (2) no matter is subject to dispute resolution; and (3) no action to enforce the Consent Decree is pending. Pursuant to paragraph 62 of the decree, the decree requires Plaintiffs to file a statement with the Court stating whether they object to the termination of the decree. Bradford has advised counsel for the Department of Justice that this motion would be filed.

Accordingly, having satisfied its obligation under the consent decree and having complied with the provision governing termination, Defendant Bradford respectfully requests that the Court order that the decree be terminated.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "R. Mutzabaugh", is written over a horizontal line.

Richard Mutzabaugh
Mutzabaugh & Saunders
13 Main Street
Bradford, PA 16701
(814) 362-3538

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of August, 2005, I served by regular mail on the following counsel, by regular mail, a copy of Defendant's Motion to Terminate the Consent Decree:

For the Department of Justice:

Chief, Environmental Enforcement Section
Environment and Natural Resources Division
United States Department of Justice
Post Office Box 7611
Ben Franklin Station
Washington, D.C. 20044-7611

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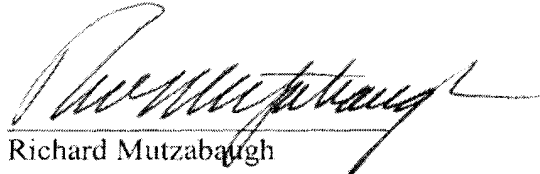
Robert E. LeFevre
Environment Enforcement Section
Environment and Natural Resources Division
United States Department of Justice
Post Office Box 7611
Ben Franklin Station
Washington, D.C. 20044

For the United States Environmental Protection Agency:

Jon Hundermark
Water Protection Division
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

For the Commonwealth of Pennsylvania:

Douglas G. Moorhead
Assistant Counsel
Pennsylvania Department of Environmental Protection
230 Chesnut Street
Meadville, PA 16335


Richard Mutzabaugh